

TALES OF THE OLD WEST

Buck Gang

The Buck Gang is not one of the Old West's more famous band of outlaws. Had they been together for a longer period of time they might have become the most infamous. Most fortunate, it was only their last thirteen days that made them known at all. During that short period, they staged a reign of terror in the Creek Nation of the Indian Territory (now known as Oklahoma) that is probably unparalleled in the history of the Old West. At the end of that thirteen days those who didn't already know him were introduced to our old friend, Judge Isaac C. Parker in Fort Smith, Arkansas.

There were five members of the gang and each one of them was still a teenager. All were young boys of color, either Indian, black or of a mixed race. Rufus Buck, the leader of the gang was a full blood Euchee (or Yuchi), a non-Muskogean Creek Indian and the son of a prominent Indian politician who could not or would not control Rufus. Born and raised in the Creek Nation he began his crime career there. It was just small stuff to start out, small robberies and other minor crimes. They were so successful that other young boys wanted to join him and form a gang. The gang consisted of Sam Sampson and Maoma July, full-blooded Creeks, Lewis Davis and Luckey Davis were of mixed African American and Creek Indian blood and believed to be brothers. All five had spent time in the Ft. Smith prison for various petty offenses.

They began their brief career by stealing 23 hogs which they managed to sell at a store in the tiny village of Orcutt, Indian Territory (IT) for less than a dollar each and a bit of liquor. Their next escapade was stealing a blooded horse which was soon found and returned to its owner. Their slow start was further interrupted when Rufus, the leader, had to spend a little time in the Ft. Smith jail for bringing liquor onto the Indian reservation.

While in jail, he met his idol, Crawford Goldsby aka Cherokee Bill. If any good word has ever been said about Goldsby, I haven't read it. Goldsby was exactly the kind of notorious outlaw, murderer that Buck aspired to become. During Buck's time in the jail, the more famous outlaw made an attempt to escape and, in the process, killed a highly respected jailer.

The jail time did absolutely nothing to straighten Buck out and may have even increased his propensity for violence. He upgraded from hogs to rustling cattle, and though he was caught at it, his penalty was the proverbial slap on the wrist. He had his gang back together and was ready to make a name for them and himself.

The early morning of July 29, 1895, found a fire raging in the little town of Checotah which was on the Katy rail line just southeast of Okmulgee. The fire had started in the livery stable and was spreading rapidly. The whole town turned out to fight the fire. Among the firefighters was a traveling salesman for a fire extinguishing company. The equipment he was selling was quickly put to use. The townsfolk managed to save the horses, but the stable was a complete loss. The stable owner noticed that most of the saddles and rigging had been stolen.

It was soon discovered that some very fine horses had been stolen from a meadow just outside of town. The logical conclusion was that the equipment stolen from the stable had been used to ride the horses away, and the fire had been set to cover up the theft. Naturally, it was the Buck gang and things were going to get hot in and around the Creek Nation.

Robert Barr Smith, in his book *Outlaw Tales of Oklahoma*, gives an excellent chronological report of the Buck Gang's reign of terror, so we will track it from his writings.

Their next crime is believed to be their first murder and involved the killing of black US Marshal John Garrett on Tuesday, July 30, 1895. His cold-blooded murder came about just because he knew the gang members for just what they were—evil boys with no conscience or sense of any guilt. The Bucks never did seem to be too interested in robbery for the materialistic value. All they were looking to do was to bring mayhem and destruction to human beings. There are two versions of Garrett's death. One, that he was looking for Buck and went to the Peterson store because Buck's mother was there. As he walked through the store to the back porch where he could speak with her, Buck stepped out of the shadows and shot him dead. The other theory, and the one noted on the Officer Down Memorial Page is that he was responding to a robbery in progress call. He confronted Buck who; instead of surrendering, turned and shot him.

TALES OF THE OLD WEST

Fleeing the murder scene, they next met up with Jim Staley riding a prized horse with fine saddle and bridle. Buck made him an offer to swap for his horse. When Staley expressed disinterest in the offer Buck struck him in the head with his Winchester, knocking him from the saddle. Then they robbed him of \$50 cash, his watch and the fine horse and rigging. By the narrow vote of three to two they left Staley alive with the horse Buck left him.

Their next victim was Bert Callahan and his hired man, a black cowboy by the name of Sam Houston. Callahan owned the U Bar ranch on nearby Grave Creek. The gang commenced firing at the pair without warning. Houston's horse was killed first, and Houston ran for his life without success. Buck put a bullet through his lungs and then turned his attention to Callahan and shot off a piece of one of his ears. Callahan was the son of the superintendent of the Wealaka Mission School that had suspended Buck for misconduct. After they robbed Callahan of everything he had, they let him go but fired shots at him as he fled to town. He alerted the Creek Lighthorse (Indian police) and they took up the chase, unsuccessfully. Buck said he would have killed Callahan had he known of the relationship to his father.

After escaping this adventure, the gang thought they would try a nighttime raid to get some horses at Gus Chambers place on Duck Creek near Sapulpa, IT. Chambers turned out to be a tough guy with a shotgun and they came away with gunfire and no horses. So, they vented their frustration by firing into the Chambers' home where the family was hiding under a bed. With all the ammunition they had stolen, wasting some was not a big problem. Over 100 bullet holes were counted in the house and eight of them were found in the bed which they were hiding under.

On August 5 the gang stopped two wagons traveling together. One of the wagons was driven by Mrs. Mary Wilson, a widow who was moving her belongings from one farmhouse to another. Driving the other wagon was her son Charles along with a young boy she had hired to help out. After they had taken everything that they wanted, they sent the boys on their way. One of the Davis brothers then raped the widow and the gang drove her into the bush by firing shots in her direction. She was later found by a posse, half dead from fright and abuse.

Later the same day they robbed and murdered a man working on a ranch between Checotah and Okmulgee. That night they went to a house where a schoolteacher was boarding. They robbed everybody in the house and then they all raped the teacher.

If you think they had reached bottom, the next day they went even lower into the depths of depravity. They stopped at the home of Henry Hassan and his family, consisting of his thirty-year-old wife, three small children and his mother-in-law.

Hassan and Lewis Davis had had trouble once before when Lewis crossed through his property and Hassan had to ask him to close the gates as he passed through his land. Now recognizing Davis, Hassan knew they were in the hands of the vilest outlaws of the time. He tried to sneak into the house and get his rifle, but Maoma July beat him to it.

Buck demanded that Mrs. Hassan and her mother cook them some food and do it quickly. While waiting for the meal they ransacked the house stealing what tiny amount of money the family had and trinkets or clothing they might want. They even stole baby clothing. After gorging themselves with food, it was time to show their appreciation. Mrs. Hassan begged, to no avail, as Lewis Davis dragged her to the barn and raped her. When she tried to appeal to him, he threatened to kill her husband and throw her children in the creek. When Davis was finished the rest of the gang took their turn with Mrs. Hassan.

When the gang disappeared they took her husband with them. They took him to field two miles away and forced him to dance. Then they forced him to jump into a pool of water. In the midst of all their fun a neighbor of Hassan, Dick Ryan, happened by. The gang made the two of them fight each other for their amusement. As they rode away they told the two men that if they ever testified against them, friends of the gang would kill Hassan and Ryan.

Mrs. Hassan was so frightened that she hid in a cornfield. Her husband had been gone so long she was sure the gang had carried out their threat to kill him. Hassan had been picked up by a passing neighbor and returned to his home safe and exhausted. A posse appeared but was unable to pick up the tracks in the darkness.

After that, they met a wagon carrying a man and his daughter. The idea of five against one was most appealing to Buck. The young girl was ordered out of the wagon and each member of the

TALES OF THE OLD WEST

gang raped her. They then rode away looking for more adventure. The *Muskogee Phoenix* reported that the young girl received “critical injuries.”

Their next adventure happened to be a general store in Orcutt, IT. The owner of the store was out with one of the many posses that were searching for the gang. Fortunately, he had the good sense to take his cash with him. He left his two young sons to tend the store in his absence. The gang helped themselves to whatever goods caught their fancy and completely ignored the boys. They took all the food and ammunition and went on their way.

The next establishment to be victimized was the Norbury and Company store where they got a little cash and a larger supply of weapons and ammunition and even more food.

They missed their best opportunity when they failed to rob the Severs’ store. Just three days earlier the Indians had been paid and came into settle their bills. There was over \$20,000 available. The owners had been warned that they would probably be the next victim and hid their cash.

They rode on to McDermott, another small village in the Territory. Looking for cash, they robbed yet another grocery store. They found no cash and took their anger out by smashing the store’s display furniture and pouring his sugar and flour on the floor. They finished the day by robbing one more store and leaving the owner tied up and missing only a couple of sacks filled with merchandise.

They should have run, but they didn’t. Now there were posses hot on their trail and the trail was fairly easy to follow. Among the posses were Captain Henry and other officers of the Creek Lighthorse police, two deputy US marshals leading a large posse of angry citizens that may have numbered as many as one hundred. Their prey was soon found at Flat Rock, north of Okmulgee.

The Buck Gang was sitting in a circle in the shade of a grove of oak trees. They were splitting up the loot from the store robberies and were fussing over who got what. Buck finally became angry with all the arguing and declared that as boss he would decide who got what and that would be the end of it. Well, that didn’t sit too well and the squabbling soon began anew. The fussing continued until the posse opened fire. At that time posses did not give rapists and murderers a whole lot of consideration to the due process of law. The first round did no damage to the gang, but they were cut off from their horses. They grabbed their weapons and ammunition and ran up a nearby small hill, gaining the coveted “high ground.” The firing was heavy, but of little effect. One round went through Captain Henry’s hat creasing his skull and knocking him off his horse. As soon as he shook off the shock of the close call he was right back in the battle.

It was a stalemate for a while with the gang having the advantage of the higher ground. But they were badly outnumbered and in the broiling sun the posse began to crawl up the hill as messengers ran to Ft. Smith to give out the news. The battle went on for seven hours with nobody getting a wound. The posse knew they had the advantage of resupplying guns and ammunition while the gang had to run out of bullets at some time.

Even more help was on its way. U.S. Marshal S. Morton Rutherford came out from Fort Smith with a brigade of deputies, among them reliable Heck Thomas, Paden Tolbert and Bud Ledbetter. As night fell, the lawmen worked in closer and closer. One of the Indian posse members became tired of waiting. He fired a dynamite round toward the gang. This round had a small bit of dynamite in the tip. The round exploded against a tree and a fragment severed Buck’ cartridge belt. Buck panicked, threw down his rifle and began to run to the rear. The other members also panicked and they all began to run down the rear of the hill, straight into Rutherford’s men. The gang gave no resistance as they were placed under arrest.

The civilians were immensely relieved that the evil ones were apprehended, but they soon began the lynch talk that was inevitable when violent rapists and murderers were jailed. Marshal Rutherford was very stern in telling the crowd that it was his job to protect the prisoners and that he would do so. The talk died down for a while, but soon sprang up again. The mob even placed guards around to make sure the marshal did not flee with his jail birds. The prisoners were heavily bound in chains that would make a lot of noise. Rutherford told his prisoners they had one chance to stay alive, and that was to pick up and carry their chains as they quietly sneaked away in the darkness. They did so and Rutherford got them into Muskogee and on a train to Ft. Smith.

A grand jury was convened, and it returned a true bill on the indictments of the gang, and on August 20 they were arraigned before Judge Parker.

TALES OF THE OLD WEST

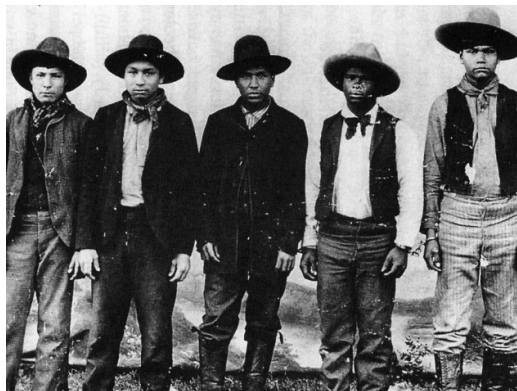
At trial for the rape of Mrs. Rosetta Hassan, the prosecutor led off with Mr. Hassan and Mr. Ryan. As damning as their testimony was, he followed with Mrs. Hassan. It was reported there was “scarcely a dry eye” in the jury box and Judge Parker was seen wiping his eyes. The defense attorney asked no questions of Mrs. Hassan. At final argument, the defense attorney said to the jury and to Judge Parker, “May it please the court and you, gentleman of the jury, I have nothing to say.” The only thing the prosecutor told the jury was that they had heard the evidence and he would expect a conviction. And he got one for all five members of the gang. The jury reached a verdict in three minutes and did not even sit down to deliberate.

Judge Parker dismissed the jury and immediately seated a new one in the case of the murder of Marshal Garrett and only Buck and the two Davis boys were accused in this one. Buck tried to claim he had an alibi for that one, the jury did not believe him. This time it took 12 minutes to find all three guilty. The judge delayed the sentence for two more days and then sentenced him to be hanged. At the end of this story you can read a transcript of the message he left Buck with, if you desire to read it.

Then the judge handed down the same sentence to the remaining four members of the gang. At the traditional “last word” moment, only Luckey Davis responded. “Yes. I want my case to go to the Supreme Court.” Judge Parker said, “I don’t blame you.”

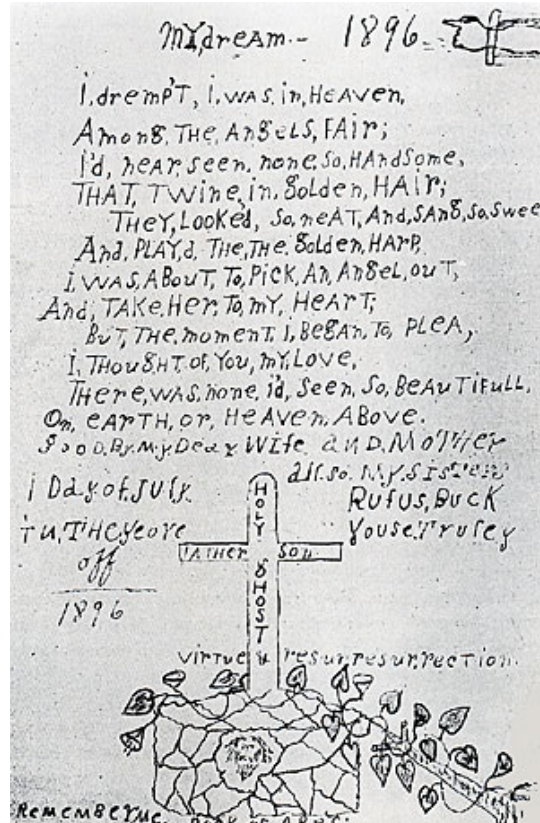
Execution was delayed until the US Supreme Court heard Buck’s appeal on the basis that he had not been allowed to present his alibi evidence. The Supreme Court also turned a deaf ear.

Buck created a curious document, photographed below, and professed he had found religion, or pretended to. The document was intended as a letter to his wife and was drawn on the back of his mother’s photo. Marshal George Crump read the death warrants and then asked for the last time for any last words. A couple called out to friends in the audience and only Lewis Davis spoke to make a request to be hanged alone. They raped and murdered together and they would die together. The five dropped into eternity and were the second to last hanging in Judge Parkers jurisdiction, Casharoga would be the last.



From left, Maoma July, Sam Sampson, Rufus Buck, Luckey Davis, Lewis Davis

TALES OF THE OLD WEST



Buck's Document

Judge Parker's Sentencing Speech to the Buck Gang:

I want to say in this case that the jury under the law and the evidence could come to no other conclusion than that which they arrived at. Their verdict is an entirely just one, and one that must be approved by all lovers of virtue. The offense of which you have been convicted is one which shocks all men who are not brutal. It is known to the law as a crime offensive to decency, and as a brutal attack upon the honor and chastity of the weaker sex. It is a violation of the quick sense of honor and the pride of virtue which nature, to render the sex amiable, has implanted in the female heart; and it has been by the lawmakers of the United States deemed equal in enormity and wickedness to murder because the punishment fixed by the same is that which follows the commission of the crime of murder.

Your crime has been proven beyond question, and the evidence showing the manner of its commission exhibits it as of the most repulsive and abhorrent character. The proof shows that each of you first took part in the robbery of the house of Henry Hassan, and afterwards that each of you in the most revolting and brutal manner in turn outraged his wife, Mrs. Rosetta Hassan. Some of you held the family at bay. Some of you overcame all resistance by armed violence, while each of you in turn committed the terrible crime against decency and virtue, and you all exhibited the most horrid and brutal depravity. The acts so aroused the indignation of your own people, the Creek Indians, that they were almost persuaded to take you from the officers and execute upon you summary vengeance. It was only through respect for the law, and the belief that it would be enforced in this court, that induced them to permit the officers to bring you here.

The enormity and great wickedness of your crime leaves no ground for the extension of sympathy to you. You can expect no more sympathy than lovers of virtue and haters of vice can extend to men guilty of one of the most brutal, wicked, repulsive and dastardly crimes known in the annals of crime. Your duty now is to make an honest effort to receive from a just God that mercy and forgiveness you so much need. We are taught that His mercy will wipe out even this horrible crime; but He is just, and His justice decrees punishment unless you are able to make atonement for the revolting crime against His law and against human law that you have committed. This horrible

TALES OF THE OLD WEST

crime now rests upon your souls. Remove it if you can, so the good God of all will extend to you His forgiveness and His mercy.

Listen now to the sentence of the law, which is, that you, Rufus Buck, for the crime of rape, committed by you upon Rosetta Hassan, in the Indian country, and within the jurisdiction of this court, of which crime you stand convicted by the verdict of the jury in your case, be deemed, taken and adjudged guilty of rape; and that you be therefore, for the said crime against the laws of the United States, hanged by the neck until you are dead; that the marshal of the Western District of Arkansas, by himself or deputy, or deputies, cause execution to be done in the premises upon you, on Thursday, the 31st of October, 1895, between the hours of 9 o'clock in the forenoon and 5 o'clock in the afternoon of the same day, and that you be now taken to the jail from whence you came, to be there closely and securely kept until the day of execution, and from thence on the day of execution, as aforesaid, you are to be taken to the place of execution, there to be hanged by the neck until you are dead.

May God, whose laws you have broken, and before whose tribunal you must then appear, have mercy on your soul. As reported in the Fort Smith Elevator September 27, 1895.